



# *Atlantic States Marine Fisheries Commission*

## *Atlantic Menhaden Board Meeting Summary*

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*Working towards healthy, self-sustaining populations of all Atlantic coast fish species or successful restoration well in progress by the year 2015*

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ASMFC Atlantic Menhaden Management Board  
Baltimore, MD  
December 14, 2012

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### **Press Release and Motions**

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## ATLANTIC MENHADEN MANAGEMENT BOARD (December 14, 2012)

### *Press Release*

## **ASMFC Approves Atlantic Menhaden Amendment 2**

Baltimore, MD – The Atlantic States Marine Fisheries Commission has approved Amendment 2 to the Interstate Fishery Management Plan for Atlantic Menhaden. The Amendment establishes a 170,800 MT total allowable catch (TAC) beginning in 2013 and continuing until completion of, and Board action on, the next benchmark stock assessment, scheduled for 2014. The TAC represents a 20% reduction from the average of landings from 2009-2011 and an approximately 25% reduction from 2011 levels. The Board also adopted new biological reference points for biomass based on maximum spawning potential (MSP), with the goal of increasing abundance, spawning stock biomass, and menhaden availability as a forage species.

“Through the selection of the MSP-based reference points, beginning with adoption of Addendum V in 2011 and continuing today, the Board has made a conscious decision to address the ecosystem services provided by Atlantic menhaden,” stated Board Chair Louis Daniel of North Carolina. “Given the stock is experiencing overfishing and is most likely overfished based on the newly adopted reference points, it was incumbent upon the Board to reduce landings in order to ensure the long-term sustainability of the resource and the fisheries that depend on it.”

The Amendment allocates the TAC on a state-by-state basis based on landings history of the fishery from 2009-2011; allocation will be revisited three years after implementation. Further, it reduces the Chesapeake Bay reduction fishery harvest cap by 20% (this is an adjustment of cap which was in place since 2006). States will be required to close their fisheries when the state-specific portion of the TAC has been reached; any overages must be paid back the following year. The Amendment includes provisions to allow for the transfer of quota between states and a bycatch allowance of 6,000 pounds for non-directed fisheries that are operating after a state TAC has been landed. The Amendment also establishes requirements for timely reporting and improved biological monitoring.

For more information, please contact Mike Waine, Fishery Management Plan Coordinator, at [mwaine@asmfc.org](mailto:mwaine@asmfc.org) or 703.842.0740.

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PR12-63

### ***Motions***

#### **Main Motion**

**Move to adopt the MSP based reference points, with the target set at  $SSB_{30\%MSP}$  and threshold set at  $SSB_{15\%MSP}$ .**

Motion made by Dr. Pierce and seconded by Dr. Geiger. Motion carries. (Roll Call Vote: In favor – ME, NH, MA, RI, CT, NY, NJ, DE, MD, NC, SC, GA, FL, NMFS, USFWS; Opposed – VA).

#### **Motion to Postpone**

**Move to postpone this motion until the Board receives the benchmark stock assessment.**

Motion made by Mr. Travelstead and seconded by Mr. McElroy. Motion fails. (Roll Call Vote: In favor – ME, VA; Opposed – NH, MA, RI, CT, NY, NJ, DE, MD, NC, SC, GA, FL, NMFS, USFWS; Abstain – PRFC).

**Move to approve Option B Harvest restricted through the use of a TAC.**

Motion made by Mr. Nowalsky and seconded by Mr. Stockwell. Motion carries without objection.

**Move to option 2E, until the Technical Committee provides its guidance from the benchmark stock assessment on F.**

Motion made by Mr. Himchak and second by Mr. Travelstead. Motion carries without objection.

**Move to use a three year average (2009 – 2011) with the ad hoc method to set the TAC (Issue 5b).**

Motion made by Dr. Pierce and seconded by Mr. Himchak. Motion carries without objection.

**Main Motion**

**Move to adopt A4, multiplier = 0.75 which would result in a 25% reduction and a TAC of 160,200 MT (Issue 5b).**

Motion made by Dr. Pierce and seconded by Mr. Abbott.

**Motion to Substitute**

**Move to substitute for a multiplier of 0.9 which would result in a 10% reduction of the harvest and a TAC of 192,200 MT (Issue 5b).**

Motion made by Mr. Travelstead and seconded by Mr. McElroy. Motion fails (Roll Call Vote: In favor – ME, NJ, VA, FL; Opposed – NH, MA, RI, CT, NY, DE, MD, NC, SC, GA, NMFS, USFWS; Abstain – PRFC).

**Motion to Substitute**

**Move to substitute to a multiplier of 0.8, which would result in a 20% reduction of harvest and a TAC of 170,800 MT (issue 5b).**

Motion made by Mr. Stockwell and seconded by Mr. Bellavance. Motion carries (Roll Call Vote: In favor – ME, NH, RI, CT, NY, NJ, DE, MD, PRFC, VA, NC, SC, GA, FL, NMFS; Opposed – MA, USFWS).

**Motion to Amend**

**Move to amend to a multiplier of 0.85, which would result in a 15% reduction in harvest and a TAC of 181,475 MT (Issue 5b).**

Motion made by Mr. Travelstead and seconded by Mr. McElroy. Motion fails (Roll Call Vote: In favor – NY, NJ, VA, FL; Opposed – ME, NH, MA, RI, CT, DE, MD, NC, SC, GA, NMFS, USFWS; Abstain – PRFC).

**Motion to Amend**

**Move to amend to implement in 2013 a multiplier of 0.85 (reduction of 15% and TAC of 181,475 MT) and in 2014 a multiplier of 0.8 (reduction of 20% and a TAC of 170,800 MT) to remain in place until the results of the benchmark stock assessment.**

Motion made by Ms. Tooley and seconded by Mr. Travelstead. Motion fails (Roll Call Vote: In favor – ME, NY, NJ, PRFC, VA, FL; Opposed – NH, MA, RI, CT, DE, MD, NC, SC, GA, NMFS, USFWS).

**Main Motion as Substituted**

**Move to implement a multiplier of 0.8, which would result in a 20% reduction of harvest and a TAC of 170,800 MT (issue 5b).**

Motion carries (Roll Call Vote: In favor – ME, NH, MA, RI, CT, NY, NJ, DE, MD, NC, SC, GA, NMFS, USFWS; Opposed – NJ, VA, FL; Abstain – PRFC ).

**Main Motion**

**Move to approve option C to manage the TAC on a state-by-state basis (Issue 5c).**

Motion made by Mr. Carpenter and seconded by Mr. Travelstead.

**Motion to Substitute**

**Move to substitute to approve option B, regional measures (Issue 5c).**

Motion made by Mr. Augustine and seconded by Ms. Tooley. Motion fails (3 in favor, 11 opposed, 3 abstentions).

**Motion to Substitute**

**Move to substitute to approve option A, coastwide measures (Issue 5c).**

Motion made by Mr. Augustine, and seconded by Ms. Tooley. Motion fails.

**Main Motion**

**Move to approve option C to manage the TAC on a state-by-state basis (Issue 5c).**

Motion made by Mr. Carpenter and seconded by Mr. Travelstead. Motion carries.

**Main Motion**

**Move to approve under Option C2, 30% bait and 70% reduction.**

Motion made by Mr. Nowalsky and seconded by Mr. Bellavance.

**Motion to Substitute**

**Move to substitute to adopt Sub-Option C1.1 which allocates the entire TAC on a state-by-state basis based on the most recent data available (2009 – 2011).**

Motion made by Mr. Travelstead and seconded by Mr. Carpenter. Motion carries (Roll Call Vote: In favor – ME, NH, CT, NY, MD, PRFC, VA, NC, SC, GA, FL; Opposed – MA, RI, NJ, DE; Abstain – NMFS, USFWS ).

**Main Motion as Substituted**

**Move to adopt Sub-Option C1.1 which allocates the entire TAC on a state-by-state basis based on the most recent data available (2009 – 2011).**

Motion carries (Roll Call Vote: In favor – ME, NH, CT, NY, DE, MD, PRFC, VA, SC, GA, FL; Opposed – MA, RI, NJ, NC; Abstain – NMFS, USFWS ).

**Move to revisit the allocation three years after implementation.**

Motion made by Mr. Stockwell and seconded by Mr. Adler. Motion carries without objection.

**Move to not adopt any percent closure criteria (section 4.2.1.1).**

Motion made by Mr. Carpenter and seconded by Mr. McElroy. Motion carries without objection.

**Move to allow transfer of quota between states.**

Motion made by Mr. Boyles and seconded by Mr. Adler. Motion carries without objection.

**Move to allow maximum percent rollover of any unused quota as specified by the Board on an annual basis.**

Motion made by Mr. Bellavance and seconded by Mr. Stockwell. Motion fails.

**Move that quota roll over shall not be considered by the Board until the stock is recovered (Option A).**

Motion made by Mr. Carpenter and seconded by Ms. Fegley. Motion carries without objection.

**Move to select Option B, 100% payback.**

Motion made by Mr. Boyles and seconded by Mr. McElroy. Motion carries without objection.

**Main Motion**

**Move to approve Option B2, 2,000 pound bycatch allowance for non-directed fisheries (Issue 5g).**

Motion made by Mr. Stockwell and seconded by Mr. Grout.

**Motion to Amend**

**Move to amend to change the bycatch allowance from 2,000 to 6,000 pounds.**

Motion made by Ms. Fegley and second by Mr. Carpenter. Motion carries without objection.

**Motion to Amend**

**Move to amend to allow that the bycatch would count against the quota (Issue 5g).**

Motion made by Mr. Grout and seconded by Mr. Himchak. Motion fails (4 in favor, 8 opposed, 2 abstentions, 1 null vote).

**Main Motion as Amended**

**Move to approve Option B2, 6,000 pound bycatch allowance for non-directed fisheries (Issue 5g).**

Motion carries.

**Move for option B section (4.2.1.9) a TAC set-aside for episodic event at 1% of the overall TAC until September 1 of each year and after which the 1% returns to the TAC if it has not been used.**

Motion made by Mr. Stockwell and seconded by Mr. Ballou. Motion carries.

**Move to approve Option C to reduce the Chesapeake Bay Cap by 20%.**

Motion made by Dr. Pierce and seconded by Ms. Fegley. Motion carries unanimously.

**Move to approve Option B, the state methodology for monitoring (Issue 3).**

Motion made by Mr. Boyles and seconded by Mr. Carpenter. Motion carries without objection.

**Move to approve Option B under Section 4.5.3.**

Motion made by Mr. Grout and seconded by Mr. Ballou. Motion carries without objection.

**Move to approve Option 1 under Section 4.5.3.1 (1% of bait landings).**

Motion made by Mr. Grout and seconded by Mr. Boyles. Motion carries without objection.

**Main Motion**

**Move to approve Option 4 under *de minimis* criteria that exempts states from biological sampling and timely quota reporting.**

Motion made by Mr. Grout and seconded by Mr. Boyles.

**Motion to Amend**

**Move to amend to approve Option 3, *de minimis* states exempted from biological sampling but still have to implement timely reporting, with the exception of NH, SC and GA (states with zero allocation).**

Motion made by Mr. Carpenter and seconded by Mr. Cole. Motion carries.

**Main Motion as Amended**

**Move to approve Option 3, *de minimis* states exempted from biological sampling but still have to implement timely reporting, with the exception of NH, SC and GA (states with zero allocation).**

Motion carries without objection.

**Move to approve Option B of Issue 4a that the Board will use the Technical Committee's recommendation for biological monitoring.**

Motion made by Mr. Carpenter and seconded by Mr. Cole. Motion approved without objection.

**Move to approve Option B for Issue 4B.**

Motion made by Mr. Carpenter and seconded by Mr. Himchak. Motion carries without objection.

**Move to approve Amendment 2 as modified today and recommend approval by the full Commission. Implementation plans will be due April 15, 2013 and final implementation will be on July 1, 2013.**

Motion made by Mr. Augustine and seconded by Mr. McElroy. Motion carries (Roll Call Vote: In favor – ME, MA, RI, CT, NY, NJ, DE, MD, PRFC, NC, GA, NMFS; Opposed – VA).

**BUSINESS SESSION (December 14, 2012)**

***Motions***

**On behalf of the Atlantic Menhaden Management Board, I move approval of Amendment 2 to the Menhaden FMP.**

Motion made by Dr. Daniel. Motion carries (Roll Call Vote: In favor – ME, MA, RI, CT, NY, NJ, DE, MD, NC, GA; Opposed – VA).